

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 SCA-01 L-03 FBIE-00 DHA-02 CIAE-00

INR-07 NSAE-00 SCS-03 AID-05 EURE-00 INRE-00 SSO-00

/034 W

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O 291530Z JUL 76

FM AMEMBASSY BELGRADE

TO SECSTATE WASHDC IMMEDIATE 7573

INFO AMCONSUL ZAGREB IMMEDIATE

AMCONSUL TRIESTE

C O N F I D E N T I A L BELGRADE 5002

E.O. 11652: GDS

TAGS: PFOR CASC YO US (TOTH, LASZLO)(SEDMAC, MICHAEL)

(DOYCHINOVICH, VLADIMIR)

SUBJ: TOTH, SEDMAC, DOYCHINOVICH CASES

REF: (A) BELGRADE 4949, (B) STATE 187177, (C) STATE BVIKKR#

AID(NOTAL)

1. DOYCHINOVICH'S ATTORNEY ON VACATION AND WILL NOT BE AVAILABLE UNTIL SECOND WEEK OF AUGUST. WHEN HE RETURNS WE WILL DISCUSS KWSSA WITH HIM TO GET HIS OPINION ON WHAT EMBASYL AND/OR DEPARTMENT CAN DO NOW TO ASSIST WITH THIS CASE. EMBASSY UNDERSTANDS THAT PETITION FOR PAROLE ALREADY FILED WITH COURT. WE ARE A LITTLE UNCOMFGTABLE ABOUT DOYCHINOVICH CAYE BECAUSE HE LIVED IN YUGOSLAVIA FOR FOUR YEARS PRIOR TO HIS ARREEF ACS POSSIBILITY HE MAY HAVE COMMITTED SOME ACT DURING THAT TIME WHICH WE DO NOT KNOW ABOUT. WHY SECURITY TYPES WAITED FOUR YEARS TO MOVE AGAINST HIM IS STILL NOT SATISFACTORILY ANSWERED. HOWEVER, INDICTMENT MENTIONS ONLY ACTIVITIES PRIOR TO HIS RETURN TO YUGOSLAVIA IN 1970. THEREFORE ON ITS FACE PRESENTS A SERIOUS PROBLEM BEVLUSE HP EFFECT DOYCHINOVICH HAS BEEN SENTENCED ONLY FOR ACTIVITIES IN THE US AND CANADA THAT UNDER OUR LAWS WOULD BE PERFECTLY LEGAL.

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2. CONSIDERING CHARGES AGAINST BOTH MEN, EMBASSY AGREES THAT

SEDMAK BELOW DOYCHINOVICH IN TERMS OF PRIORITY ON COMPASSIONATE GROUNDS. OUR ARGUMENT FOR SEDMAK SHOULD BE THAT GOY HAS RELEASED CONVICTED RUSSIAN SPY POZEG AND SHOULD THEREFORE ALSO RELEASE SEDMAK WHATEVER THE CHARGES AGAINST HIM. IF RESPONSE IS THAT TOTH ALREADY RELEASED WE SHOULD REPLY THAT IT VERY CLEAR TOTH DID NOTHING AND THEREFORE HIS CASE AND POZEG'S NOT THE SAME. IT ALSO CLEAR THAT DOYCHINOVICH AND SEDMAK CASES VERY DIFFERENT AND APPROACHES TO GOY MUST ALSO BE COMPLETELY DIFFERENT.

3. OTHER THAN COMMUNICATIONS REFERRED TO IN BELGRADE 3015, EMBASSY HAS RECEIVED ONLY ONE OTHER LETTER FROM SEDMAK'S SISTER, MRS. ANNE KLAWA, IN WHICH SHE ENCLOSED DOLLAR CHECK TO PAY SOME OF SEDMAK'S COURT COSTS. LETTER FROM MRS. KLAWA DATED JULY 6, 1976, RECEIVED HERE JULY 13. REPLY SENT TO HER BY LETTER DATED JULY 27. ENCLOSED WITH REPLY (WHICH WAS DELAYED LONG ENOUGH TO PERMIT US TO CONTACT COURT AND SEDMAK'S ATTORNEY) WAS COPY OF SEDMAK'S LATEST LETTER TO EMBASSY SENT JULY 9 AND RECEIVED JULY 16 IN WHICH HE THANKED CONSUL FLEISCHER FOR EFFORTS TO ASSIST HIM WITH SOME PROBLEMS WITH HIS MAIL (PROBLEMS NOW RESOLVED ACCORDING TO LETTER) AND FOR SENDING MAGAZINES AND MEDICINE (PAIN PILLS FOR ARTHRITIS CONDITION). "AGAIN I WISH TO EXPRESS MY GRATITUDE FOR HELPING ME, SENDING ME MEDICATION, THE BOOKS AND MAGAZINES. ALL I CAN SAY IS GOD BLESS YOU ALL AND GOD BLESS AMERICA," SEDMAK WROTE. HE DID NOT MENTION ANY HEALTH OR OTHER PROBLEMS. COPY OF THIS LETTER AND EPLY WAS ALSO SENT TO AMCONSUL TRIESTE FOR DELIVERY TO SEDMAK'S DAUGHTERS.

4. EMBASSY HAS NO RECORD OF RECEIVING ADDITIONAL LETTERS FROM MRS. HUNT. CONSUL NEITZKE WROTE TO MRS. HUNT AND MRS. KLAWA ON MAY 10 AFTER HE HAD VISITED SEDMAK ON APR 22.

5. SEDMAK'S ATTORNEY SUBMITTED AN APPEAL FOR AMNESTY ON HIS BEHALF ON APR 27 BUT THINKS THAT IT IS TOO EARLY BECAUSE SEDMAK HAS SERVED SUCH A SHORT PORTION OF HIS SENTENCE. THE ATTORNEY BELIEVES THAT APPROVAL OF SUCH AN APPEAL IS THE ONLY CHANCE FOR AN EARLY RELEASE. HE TOLD CONSUL THAT "REQUIREMENTS PROVIDED FOR BY LAW" FOR OTHER LEGAL REMEDIES CANNOT NOW BE MET. CONFIDENTIAL

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6. FOLLOW UP INFORMATION ON OTHER CASES WILL BE SENT AS SOON AS WE COMPLETE REVIEW OF OUR FILES AND ARE ABLE TO CONTACT RELATIVES AND/OR LAWYERS.

7. EMBASSY AWARE OF CONSTRAINTS IMPOSED BY PRIVACY ACT MENTIONED IN STATE 187140 AND WILL BE GUIDED ACCORDINOSY. SILBERMAN

NOTE BY OC/T: #AS RECEIVED.

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NNN

## Message Attributes

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**Copy:** SINGLE  
**Draft Date:** 29 JUL 1976  
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**Disposition Approved on Date:**  
**Disposition Authority:** ShawDG  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
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